

# Utilities and Public Safety Services

**Sharing 700 MHz Public Safety Broadband  
Spectrum**

**March 6, 2012**



# Background

- **FCC Re-examines Eligible Users of 700 MHz PS Spectrum (3<sup>rd</sup> R&O and 4<sup>th</sup> FNPRM, WT Docket No. 06-229, 1/26/2011).**
  - “we recognize the strong desire of many in the public safety community to include secondary users such as utilities, public works and others on their network as a mechanism to coordinate common activities and respond jointly to emergencies, as well as a method to spread costs and capitalize on infrastructure sharing opportunities. This policy goal is worthy of pursuit in light of the otherwise uncertain nature of the funding need to ensure nationwide build out of the public safety broadband network.”
- **UTC and many others (including public safety) file comments in support of allowing utilities to share 700 MHz public safety broadband spectrum (4/2011, 5/2011)**

# Utilities Provide Public Safety Services

- **Utilities operate extensive private internal communications networks for the “sole or principal purpose of protecting the safety of life, health or property”**
  - Routine operations include monitoring and control of mission critical applications that ensure the safe and reliable delivery of essential electric, gas and water services to the public at large
  - Emergency operations include voice and data services for service restoration in the aftermath of hurricanes and other disasters
- **Utilities include gov’t. and authorized non-gov’t entities**
  - Many shared systems in other spectrum bands exist in several states across the country
- **Private networks not used to offer commercial services.**

# Eligibility Issue Remains Important After Congressional Action

- Section 6208(a)(2)(B) of the “Middle Class Tax Relief and Job Creation Act of 2012” permits access to network capacity on a secondary basis for non-public safety services, notwithstanding Section 337(f).
- BUT, utilities need access to reliable communications, particularly during emergency scenarios and would be discouraged from sharing if communications are secondary
- Section 6001(27) provides that the term “public safety services” has the meaning given the term in section 337(f).

# FCC Should Find That Utility Comm's Provide Public Safety Services

**Would encourage utilities to share spectrum with public safety and improve emergency response communications**

- **Utility communications would not be secondary, as required by new provisions in recently-passed legislation.**
- **Utilities would continue to need to satisfy other requirements under section 337(f) including authorization by governmental entities and non-commercial provisos.**
- **Public interest would be served by promoting:**
  - Interoperability between First Responders
  - Deployment of 700 MHz Public Safety Broadband Network
  - Spectrum efficiency
  - Other national policy objectives